

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ONEBEACON INSURANCE COMPANY,
Plaintiff,

v.

T. WADE WELCH & ASSOCIATES, *et al.*,
Defendants.

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CIVIL ACTION H-11-3061

ORDER

Pending before the court is counter-plaintiffs/defendants T. Wade Welch & Associates and T. Wade Welch's (collectively, the "Welch Firm") opposed motion for leave to file their second amended answer, affirmative defenses, and counterclaims. Dkt. 193. The Welch Firm asserts that it has obtained new information about plaintiff/counter-defendant OneBeacon Insurance Company's actions and that other events, such as the completion of the underlying arbitration, have caused claims that were earlier dismissed without prejudice to become ripe. *Id.* The Welch Firm therefore requests leave to file an amended answer, affirmative defenses, and counterclaims, to add the now-ripe claims. *Id.* OneBeacon did not file a response to the Welch Firm's motion. Under Local Rule 7.4, a motion to which a party does not respond is considered unopposed. S.D. Tex. L.R. 7.4 ("Failure to respond will be taken as a representation of no opposition."). Thus, after considering the motion and applicable law, the court is of the opinion that the Welch Firm's motion should be GRANTED. The motion therefore is GRANTED. The Welch Firm's second amended answer, affirmative defenses, and counterclaims, which is attached as Exhibit 1 to their motion to amend, shall be considered filed on this date.

It is so ORDERED.

Signed at Houston, Texas on September 9, 2013.



Gray H. Miller
United States District Judge